



Appeal Decision

Site visit made on 3 September 2020

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 October 2020

Appeal Ref: APP/L5810/W/20/3244787

360 Lower Richmond Road, Richmond TW9 4LE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr P Murphy of London Heating Ltd against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 19/1089/FUL, dated 2 April 2019, was refused by notice dated 15 July 2019.
 - The development proposed is removal of roof and erection of additional storey of accommodation over existing single-storey building, in connection with the creation of a 1 bedroom flat. Other alterations to ground floor office to enable access to flat and refuse storage area.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In my formal decision I have used the description of development as it appears on the Appeal Form and the Decision Notice, in preference to how it appears on the application form, because it more accurately reflects the proposals.

Main Issues

3. The main issues in this appeal are:
 - The effect of the proposal upon the character and appearance of the area;
 - The effect of the proposal upon the living conditions of residents of 1 Dancer Street, with particular regards to overbearing; and
 - Whether the proposal makes adequate provision for affordable housing.

Reasons

Character and appearance

4. The appeal site is located at the junction of Lower Richmond Road and Dancer Street. It comprises a single storey detached, commercial building, which fronts predominately on to Lower Richmond Road. Lower Richmond Road is a busy dual carriageway, with a number of other commercial buildings along it. In contrast, Dancer Street is a predominately residential street, where the buildings are of similar architectural styles, giving the street a uniform and regular character.

5. The line of businesses along Lower Richmond Road gives this part of the surrounding area a commercial and active feel, with existing buildings being of a varied height and design. When viewed from Lower Richmond Road, the appeal building is seen in the context of this commercial development and activity. Therefore, given the commercial aspect of the southern side of the appeal site, with the presence of the existing businesses and the busy dual carriageway, the impact of the additional height, massing and scale of the proposal would have no significant effect upon the character and appearance of the area when seen from the south.
6. When viewed along Dancer Street, whilst the majority of the additions would be hidden from view by the neighbouring property, a proportion of the extended rear parapet wall would be visible within the street scene. This element of the proposal would introduce a form of development that would discordantly rise above the existing domestic properties along Dancer Street. Furthermore, it would be viewed as a visually obtrusive form of development, out of keeping with the uniform and regular design of the buildings along the street. As a result, when viewed along Dancer Street, the proposal would introduce a form of development that would appear out of scale with and harmful to the character and appearance of the surrounding area to the north of the appeal site.
7. For these reasons, the proposed development would harm the character and appearance of the area and, in this respect is contrary to Policies LP1 and LP8 of the Local Plan (July 2018), Quality Design Supplementary Planning Document (2006), Residential Development Standards Supplementary Planning Document (2010) and the National Planning Policy Framework (the Framework). These policies amongst other things, requires all development to be of a high architectural and urban design quality.

Living conditions

8. The boundary between the appeal site and No 1 comprises a single storey height wall. The ground floor flat has a single living room window that faces directly towards the appeal site, along with a bedroom window that faces towards the rear garden.
9. Whilst there is a small pitched roof element to the existing building, the proposal would increase the overall height, bulk and mass of the existing appeal property along the boundary with No 1. Due to the proximity, design and height of the proposed addition, the proposal would represent a visually intrusive and overbearing form of development, that would create a significant feeling of enclosure to the neighbouring property. This would be detrimental to the living conditions of the occupiers of No 1.
10. For these reasons, the proposed development would harm the living conditions of residents of 1 Dancer Street and, in this regard, is contrary to Policy LP8 of the Local Plan (July 2018) and policies contained within the Framework. These policies, amongst other things, seek to ensure that proposals are not visually intrusive or have an overbearing impact as a result of their height, massing or siting, including through creating a sense of enclosure.

Affordable Housing

11. Policy LP36 of the Local Plan (July 2018) sets out the Council's affordable housing policy and provides that where affordable housing is not proposed on site, a financial contribution would be required, to be secured via a legal agreement. It is common ground between the parties that the proposed development would require the provision of affordable housing. Having reviewed the submitted evidence, I have found no reason to disagree with this position.
12. Nonetheless, in the absence of a completed S106 Agreement to secure the delivery of the requisite provision of affordable housing, I am not satisfied that the effect of the development on local infrastructure would be adequately offset. For these reasons, the proposed development would conflict with Policy LP36 of the Local Plan and the Supplementary Planning Document on Affordable Housing (2014). These Policies, amongst other things seek to ensure the provision of adequate affordable homes to meet the identified need.

Conclusion

13. For the reasons given above, I conclude that the appeal should be dismissed.

Adrian Hunter

INSPECTOR